Attorney Docket No. 06618-389001
Application No. 09/461,160
Amendment dated November 3, 2003
R ply to Office Action dated August 5, 2003

<div align="center">REMARKS</div>

Reconsideration and allowance of the above-referenced
application are respectfully requested.

Claims 46-59 stand rejected under 35 USC 112, second
paragraph as being indefinite. In response, these claims are
amended herewith for indefiniteness. The examiner is thanked
for pointing out the specific instances of indefiniteness.

Initially, the indication that claims 55 and 57-59 are
allowable is appreciatively noted. Claims 55, 57 and 58 are
amended into independent form herein and, as amended, each of
these claims should be allowable.

Numerous claims stand rejected based on 102/103 and Burrows
alone or in view of the applicant's admitted prior art and/or
Brown. In response to this rejection, claims 46-48 are
canceled. Claim 49 is amended into independent form. Claim 51
is also amended into independent form, and claim 50 is
cancelled. Claims 52, 53, 54 and 56 are canceled. This leaves
only the issues of whether claims 49 and 51 were properly
rejected based on the applied prior art.

Claim 49 was rejected based on Burrows, based on the
reasoning that Burrows discloses execution in a multithreaded
manner. However, claim 49 refers to very special kind of
instructions: specifically instructions that must be executed in

<div align="center">22</div>

a multithreaded manner. That is, with instructions like this, the answer will not be (necessarily) properly obtained unless the instructions are executed in a multithreaded manner. This feature is not in any way taught or suggested by any of the cited prior art. Specifically, Burrows teaches the annotation being used to avoid concurrency errors, by including information about the way in which the instructions are applied to memory. There is nothing teaching or suggestion this special kind of instructions as defined by these claims. Claim 49 which requires the statements to be executed in a multithreaded manner.

Claim 51 is also amended into independent form, and specifies that the equivalence annotation is a pragma. The admitted prior art does in fact disclose that pragma exist, but page 8 of the specification, and other places in the specification, describe that "many programming languages already provide pragmas for other purposes". Nowhere is there any teaching or suggestion of using a pragma to define multithreaded capability. Page 8, line 18 merely stated that the inventors found that pragmas were convenient for this purpose, since they are used in other languages for other purposes.

This should obviate all remaining issues remaining in the case. Therefore, in view of the above amendments and remarks,

23

Attorney Dock t No. 06618-389001
Application No. 09/461,160
Amendment dated November 3, 2003
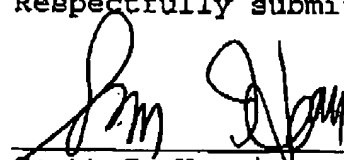Reply to Office Action dated August 5, 2003

all of the claims should be in condition for allowance. A

formal notice to that effect is respectfully solicited.

    Please apply any charges or credits to Deposit Account

No. 06-1050.

                                        Respectfully submitted,

Date: ___11/3/03___

                                        Scott C. Harris
                                        Reg. No. 32,030

Fish & Richardson P.C.
PTO Customer Number: 20985
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099
10342503.doc

24